

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**KRP Marcellus I, LLC, Rivercrest
Royalties II, LLC, Diversified Rox
Minerals, LLC, BRD Royalty
Holdings, LLC and Amon G.
Carter Foundation, collectively
known as Kimbell Group,
Plaintiffs**

vs.) Civil Action No. 18-C-215 (Marshall County)

**Chevron U.S.A. Inc., a Pennsylvania
Corporation, TH Exploration, LLC,
a Texas Limited Liability Company,
and Doe Corporations 1-20,
Defendants**

The Chief Justice of the Supreme Court of Appeals has been advised that Defendant Chevron U.S.A. Inc., by counsel, Sharon L. Potter, Christina S. Terek, and the law firm of Spilman Thomas & Battle, PLLC, has filed a motion to refer the above-referenced case to the Business Court Division pursuant to Rule 29 of the West Virginia Trial Court Rules ("TCR"). Defendant TH Exploration, LLC, by counsel, Thomas C. Ryan, Katherine Gafner, and the law firm of K&L Gates LLP, filed a response in support of the motion to refer. Plaintiffs KRP Marcellus I, LLC, Rivercrest Royalties II, LLC, Diversified Rox Minerals, LLC, BRD Royalty Holdings, LLC, and Amon G. Carter Foundation, collectively known as Kimbell Group, by counsel, Joseph G. Nogay, Michael E. Nogay, and the law firm of Sellitti, Nogay & McCune, PLLC, and Robert C. Grable, Drew Neal, and the law firm of Kelly, Hart & Hallmon, filed a response in opposition to the motion to refer.

Upon careful review and consideration of the motion and the responses thereto, the Chief Justice has determined that the principal claims in the action involve matters of significance to the transactions, operations, or governance between business entities as required by TCR 29.04(a)(1). The Chief Justice has further determined that specialized treatment is likely to improve the expectation of a fair and reasonable resolution of the controversy as required by TCR 29.04(a)(2), and the motion to refer should therefore be granted.

It is hereby ORDERED that the motion to refer this action to the Business Court Division is granted, and this order shall be transmitted to the Honorable Christopher C. Wilkes, Chair of the Business Court Division, for assignment of a presiding judge and such other actions as are necessary to effectuate the provisions of TCR 29.

It is further ORDERED that a copy of this ORDER be transmitted to the Central Office of the Business Court Division; the Honorable Jeffrey D. Cramer, Judge of the Second Judicial Circuit; and to the Clerk of the Circuit Court of Marshall County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: JANUARY 17, 2019



ELIZABETH D. WALKER
Chief Justice